

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	04-00383-01-CR-W-NKL
BOBBIE J. WALKER,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on June 17, 2005. Defendant Bobbie Walker appeared with retained counsel Alexandra Nguyen and Paul Tendredi. The United States of America appeared by Assistant United States Attorney Michael Green.

I. BACKGROUND

On March 3, 2004, a superceding indictment was returned charging defendant with one count of conspiracy to commit bank fraud and twenty counts of bank fraud, in violation of 18 U.S.C. §§ 371 and 1344.

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Green announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Dean Yannacito, FBI.

Ms. Nguyen announced that she and Mr. Tendredi will be the trial counsel for defendant Bobbie Walker.

III. OUTSTANDING MOTIONS

The following motions are pending for ruling by the District Judge:

Document # 39, Motion for Order to Limit Testimonial Evidence (filed April 1, 2005).

Document #64, Motion to Dismiss Case (filed April 18, 2005; Report & Recommendation filed April 26, 2005).

IV. TRIAL WITNESSES

Mr. Green announced that the government intends to call 30 witnesses without stipulations or 25 witnesses with stipulations during the trial.

Mr. Tendredi announced that defendant Bobbie Walker intends to call 15 witnesses during the trial.

The defendant may testify.

V. TRIAL EXHIBITS

Mr. Green announced that the government will offer approximately 80-100 exhibits in evidence during the trial.

Mr. Tendredi announced that defendant Bobbie Walker will offer approximately 20 exhibits in evidence during the trial.

VI. DEFENSES

Mr. Tendredi announced that defendant Bobbie Walker will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Mr. Tendredi stated this case may be for trial.

VIII. STIPULATIONS

Stipulations are likely as to business records.

IX. TRIAL TIME

The parties were in agreement that this case will take 5 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed January 28, 2005, each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by June 17, 2005;

That each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, June 22, 2005;

That each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, June 22, 2005. Parties are requested to provide proposed jury

instructions in both hard copy form, as required by Local Rule 51.1, and, if available, 3 and 1/2 inch computer disk in a form compatible with WordPerfect 9.0, 10.0, 11.0, or 12.0.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. The pending motions in this case were filed by defendant *pro se* before retained counsel entered their appearance in this case.

Otherwise, there are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on June 27, 2005. A change of plea hearing has been set before me at 1:30 p.m., June 22, 2005, after which I will issue a Report and Recommendation on whether to accept the plea.

/s/ Robert E. Larsen
ROBERT E. LARSEN
U. S. Magistrate Judge

Kansas City, Missouri
June 17, 2005

cc: The Honorable Nanette K. Laughrey
Mr. Michael Green
Ms. Alexandra Nguyen
Mr. Paul Tendredi
Mr. Jeff Burkholder